

8

Notice of Allowability	Application No.	Applicant(s)	
	10/527,930	SCHAFFER ET AL.	
	Examiner	Art Unit	
	Kimberly K. McClelland	1734	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

- 1. ☒ This communication is responsive to amendment filed 8/18/06.
- 2. ☒ The allowed claim(s) is/are 1-6 and 8.
- 3. ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) ☒ All b) ☐ Some* c) ☐ None of the:
 - 1. ☒ Certified copies of the priority documents have been received.
 - 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 - 3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.
THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

- 4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
 - 5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
 - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
 - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
 - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
- 6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

- | | |
|--|--|
| 1. <input type="checkbox"/> Notice of References Cited (PTO-892) | 5. <input type="checkbox"/> Notice of Informal Patent Application |
| 2. <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 6. <input checked="" type="checkbox"/> Interview Summary (PTO-413),
Paper No./Mail Date <u>10/20/06</u> . |
| 3. <input type="checkbox"/> Information Disclosure Statements (PTO/SB/08),
Paper No./Mail Date _____ | 7. <input checked="" type="checkbox"/> Examiner's Amendment/Comment |
| 4. <input type="checkbox"/> Examiner's Comment Regarding Requirement for Deposit
of Biological Material | 8. <input checked="" type="checkbox"/> Examiner's Statement of Reasons for Allowance |
| | 9. <input type="checkbox"/> Other _____. |

Kim McClelland

EXAMINER'S AMENDMENT

1. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it **MUST** be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with Mr. Peter Hochberg on October 20th, 2006.

The application has been amended as follows:

Replace claim 1 to read:

1. (currently amended) A process for manufacturing a primary unit pack of a wafer, the wafer having a predetermined length and a predetermined width, the process comprising the following steps:

providing a laminate comprising a carrier sheet and an active substance film being detachably connected to said carrier sheet and having a front end;

providing two packaging material webs;

partially detaching said active substance film from the carrier sheet; pulling said carrier sheet forward, and thereby also the active substance film, forward over the predetermined length of the wafer that is to be produced;

while pulling said carrier sheet forward, simultaneously guiding said detached active substance film, with its front end first, between said two packaging material webs while these webs are in a resting condition, without subjecting said active substance film

Art Unit: 1734

to a mechanical stress, and whereby the active substance film is fixed between said two packaging material webs;

after guiding said detached active substance film between said two packaging material webs, transversely cutting said active substance film at a distance from said two packaging material webs to form a wafer of the predetermined length;

pulling the wafer forward together and synchronously with said two packaging material webs while the wafer is fixed between these webs;

conveying the wafer and said two packaging material webs forwardly to a sealing station;

sealing the packaging material webs outside of the area of the wafer to form a pouch or bag enclosing said wafer; and

separating said pouch or bag from the packaging material webs.

Replace claim 6 to read:

6. (currently amended) A device for manufacturing a primary unit pack of a wafer, said device comprising:

a supply device for a laminate including an active substance film having a front end and a carrier sheet;

a separating roll for detaching the active substance film from the carrier sheet;

a pulling device for the carrier sheet and for the active substance film

a crosscutting device for cutting the active substance film;

a device for feeding and pulling two packaging material webs, said device comprising a receiving and clamping device for the front end of the active substance

Art Unit: 1734

film comprising at least one pair of clamping rollers, said receiving and clamping device being arranged in a vertical direction below the separating roll and below the crosscutting device, said two packaging material webs being conveyed between said at least one pair of clamping rollers, said at least one pair of clamping rollers being movable between a receiving position and a clamping position for receiving and securing the active substance film, and being transversely movable relative to each other and in an opposite direction relative to each other;

a heat sealing tool for sealing the packaging material to form a side-sealed bag;

and

a cutting device for separating the side-sealed bag from the packaging material web.

Cancel claim 7.

Replace claim 8 to read:

8. (currently amended) The device according to claim ~~[[7]]~~6 wherein two pairs of clamping rollers are arranged one above the other.

The amendment to the abstract has been approved.

2. The following is an examiner's statement of reasons for allowance:

3. With respect to claim 1, the prior art of record neither discloses nor suggests cutting the active substance film after guiding the detached active film substance between two packaging webs. The closest prior art of record, U.S. Patent No. 6,655,112 to Cremer et al., discloses punching the web prior to the detaching and

Art Unit: 1734

guiding steps due to the carrier sheet supporting the active film substance. Cutting the film after the detaching and guiding steps removes the need for a carrier sheet. There is no suggestion to cut the sheet after the detaching and guiding steps.

4. As to claim 7, the prior art of record neither discloses nor suggests making clamping rollers movable. The closest prior art U.S. Patent No. 6,655,112 to Cremer et al., discloses laminating in without movable rollers. U.S. Patent No. 5,985,088 to Couillard discloses movable rollers during lamination to compensate for the changing thicknesses of the sheets. There is no motivation to combine these references, because there is no evidence that active substance film causes the packaging webs to have a different thickness.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Kimberly K. McClelland whose telephone number is (571) 272-2372. The examiner can normally be reached on 8:00 a.m.-5 p.m. Mon-Fri..

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Chris A. Fiorilla can be reached on (571)272-1187. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Art Unit: 1734

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Kim McChesney

KKM

Chris Fiorilla

CHRIS FIORILLA
SUPERVISORY PATENT EXAMINER

AU 1734